

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**MOTION TO STRIKE THE DECLARATION OF THOMAS PATRICK LANE AND
PORTIONS OF THE DECLARATION OF THOMAS KEARNEY**

Plaintiffs respectfully move the Court to strike the Declaration of Thomas Patrick Lane in Support of Defendants' Motion for Summary Judgment ("Lane Declaration), ECF No. 397, and portions of the Declaration of Thomas Kearney in Support of Defendants' Motion for Summary Judgment ("Kearney Declaration), ECF No. 400. For the reasons set forth in the accompanying Memorandum in Support, Plaintiffs respectfully request the Court grant this Motion, issue an order striking the Lane Declaration and portions of the Kearney Declaration from the summary judgment record, and give no consideration to the stricken portions of the Lane and Kearney Declarations in deciding the parties' summary judgment motions.

Dated: October 3, 2019

Respectfully submitted,

/s/ Scott A. Zebrak

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